



U.S. Department of Justice

United States Attorney
District of Maryland

Rod J. Rosenstein
United States Attorney

Vickie E. LeDuc
Public Information Officer

36 S. Charles Street
Fourth Floor
Baltimore, Maryland 21201-2692

410-209-4800
TTY/TDD: 410-962-4462
410-209-4885
FAX 410-962-3091
Vickie.LeDuc@usdoj.gov

June 6, 2006

FOR IMMEDIATE RELEASE
<http://www.usdoj.gov/usao/md>

**CONTACT AUSA VICKIE E. LEDUC or
MARCIA MURPHY at (410) 209-4885**

**POSTAL WORKER PLEADS GUILTY TO MAKING FALSE STATEMENTS TO
OBTAIN FEDERAL EMPLOYEE COMPENSATION**

Greenbelt, Maryland - William Hornbeak, age 56, of Leonardtown, Maryland, pled guilty yesterday to making false statements and concealing material information to obtain federal employees' compensation, announced United States Attorney for the District of Maryland Rod J. Rosenstein.

According to the plea agreement presented to the court, Hornbeak has been employed with the U.S. Postal Service (USPS) since 1981. Hornbeak stated that on June 22, 1988 he was removing a drinking fountain from wall hangers when he felt a muscle pull in his back. He began receiving disability payments in September 1988 and the federal government attempted to find him suitable work.

In August 1998, Hornbeak stated in a doctor's exam that no medication or maneuver ever takes away neck and back pain felt every waking minute of the day. The doctor wrote in a report that he doubted Hornbeak's assertion that he was in pain every minute of the day, stating that most patients have occasional pain free intervals.

In August 1998, Hornbeak gave no indication on a government form, which all disability claimants must file to receive compensation and remain on the federal disability roles, that his physical condition had improved since 1988.

In October 1998 a U.S. Department of Labor (DOL) claims examiner reviewed the medical evidence and determined that Hornbeak was capable of returning to work. USPS offered him the position of "Modified Office Aide" and noted some work limitations. Hornbeak worked for three weeks but then reported to his physician and DOL that he was unable to work without significant physical discomfort.

In March and April 1999 Hornbeak wrote letters regarding his disability claim to U.S. Representative Steny Hoyer and U.S. Senator Paul Sarbanes stating that answering phones and doing computer work were escalating "painful conditions," or that his "potentially paralyzing injury" causes him pain and suffering every day for the rest of his life, and does not allow him to mow the lawn or work a garden.

Despite these and other assertions by Hornbeak to the government, Hornbeak's condition had improved. Indeed, beginning in at least August 1999 and continuing for years, Hornbeak helped to build a deck, a front porch to his home and a shed; fished; played horseshoes competitively; drove a tractor; climbed trees; kneeled for periods of time to hammer; crawled underneath vehicles to repair them; and carried heavy items. In 2003, law enforcement surveilled Hornbeak snow plowing his and a neighbor's driveway, driving a lawn tractor for hours without breaks, pushing a wheelbarrow, and carrying a 70 pound outboard motor to his boat and a 40 pound bench in his yard. Hornbeak did not limp or display any signs of physical discomfort during these activities.

Hornbeak completed several additional government forms in 2001 through 2004 in which he denied doing any work or that his physical condition had improved. Hornbeak's home was searched in 2005 and numerous records, documents and photos were found which corroborated Hornbeak's improved medical condition and ability to perform physical tasks since at least 2001 that he claimed he could not do. Hornbeak admitted to performing tasks he had not reported to the DOL and said he "slightly exaggerated" his condition in letters to his congressional representatives. The government contends that the loss attributable to Hornbeak is no more than \$450,000.

Hornbeak faces a maximum sentence of five years in prison followed by three years of supervised release. U.S. District Judge Alexander Williams, Jr. scheduled sentencing for September 11, 2006 at 9:30 a.m.

United States Attorney Rod J. Rosenstein praised the investigative work performed by the U.S. Postal Service Office of Inspector General, and thanked Assistant U.S. Attorney Sandra Wilkinson, who is prosecuting the case.